

JPW  
LIFE JC123  
MAY 10 2004  
PATENT & TRADEMARK OFFICE



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/671,379	
	Filing Date	September 25, 2003	
	First Named Inventor	Thomas K. McDonald	
	Art Unit	3743	
	Examiner Name	Andrea M. Ragonese	
Total Number of Pages in This Submission		Attorney Docket Number	BEAER 65632

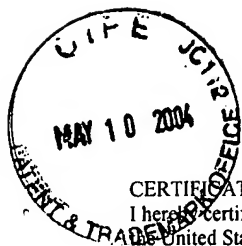
ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<b>Return Postcard Response to Requirement For Election of Species</b>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	FULWIDER PATTON LEE & UTECHT, LLP Customer No. 24201
Signature	<i>David G. Parkhurst</i>
Date	May 4, 2004

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the		
Typed or printed name	<i>David G. Parkhurst</i>	
Signature	<i>David G. Parkhurst</i>	Date May 4, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8  
I hereby certify that this correspondence is being deposited with  
the United States Postal Service with sufficient postage as First  
Class Mail in an envelope addressed to: Commissioner for  
Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on May 4,  
2004

James W. Paul, Reg. No. 29,967

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

THOMAS K. McDONALD, ET AL.

Serial No. 10/671,379

Filed: September 25, 2003

For: QUICK-DONNING FULL FACE  
OXYGEN MASK WITH INFLATABLE  
HARNESS AND SOFT FOLDABLE  
LENS

Examiner: Andrea M. Ragonese

Group Art Unit: 3761

Client ID/Matter No. BEAER:65632

Date: May 4, 2004

Los Angeles, California 90045

RESPONSE TO REQUIREMENT FOR ELECTION OF SPECIES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in reply to the Office Action dated April 19, 2004, setting a shortened  
statutory period for response of one month.

An election was required among the following species:

Species I: Figure 6;

Species II: Figure 7;

Species III: Figure 8;

Species IV: Figure 9;

Species V: Figure 10; and

Species VI: Figure 11.

Applicant provisionally and with traverse elects Species I, directed to Fig. 6. It is believed that Claims 22-34 are readable upon the elected species. Applicant traverses the requirement for election of species with respect to Species I and Species II, on the grounds that Fig. 6 is described as a side view of the mask of the invention, and Fig. 7 is described as a vertical view of the mask of the invention. It is respectfully submitted that Figs. 6 and 7 are not directed to different embodiments or even different variations of the invention.

In light of the foregoing, favorable consideration of the application is respectfully requested, and an early favorable action on the merits is respectfully solicited.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By: 

James W. Paul

Registration No. 29,967

JWP:rvw

Howard Hughes Center  
6060 Center Drive, Tenth Floor  
Los Angeles, CA 90045  
Telephone: (310) 824-5555  
Facsimile: (310) 824-9696  
Customer No. 24201